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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**RIGHT TO LIFE OF CENTRAL  
CALIFORNIA,**

Plaintiff,

v.

**ROB BONTA**, in his official capacity as  
Attorney General of the State of California,

Defendant.

Case No. 1:21-cv-01512-ADA-SAB

**JOINT NOTICE OF MOTION AND  
MOTION TO EXTEND DISCOVERY  
DEADLINES**

Courtroom 9

Magistrate Judge: Honorable Stanley A. Boone

Action filed: October 13, 2021

**NOTICE OF MOTION**

PLEASE TAKE NOTICE THAT on June 12, 2023, before the Honorable Stanley A. Boone in Courtroom 9 of the United States District Court for the Eastern District of California, Fresno Division, located at 2500 Tulare Street in Fresno, California, Plaintiff Right to Life of Central California and Defendants Rob Bonta jointly will, and do in the included motion, move this Court for a 30-day extension of time to complete discovery.

1 Plaintiff Right to Life of Central California and Defendant Rob Bonta, in his official capacity as  
2 Attorney General of the State of California, by and through their undersigned counsel, and pursuant to  
3 Local Rule 144 and Rule 6 of the Federal Rules of Civil Procedure, respectfully move the Court for a  
4 30-day extension of time of the deadlines to complete discovery. In support of this Motion, parties show  
5 the following:

- 6 1. This is the first request for an extension of the discovery deadline.
- 7 2. Currently, non-expert discovery must be completed on or before June 27, 2023 and expert  
8 testimony by July 11, 2023.
- 9 3. In March 2023, a district court in another case challenging the same statute at issue in this case,  
10 *Aubin v. Bonta* (No. 21-cv-07938), ruled on cross-motions for summary judgment and entered  
11 its final judgment. In light of the ruling in *Aubin*, the Parties in this matter entered into  
12 discussions towards a resolution of this case as well.
- 13 4. The Parties have now reached an agreement in principle for resolution of this case. Finalizing  
14 the agreement and preparing the papers to file with the Court will not be completed before June  
15 27, 2023.
- 16 5. A discovery extension will allow the necessary time to obtain approval from all parties and  
17 finally resolve the matter and to economize on the Parties' and the Court's resources.
- 18 6. In the unlikely event that efforts to resolve the case do not ultimately succeed, the Parties will  
19 complete non-expert discovery by July 27, 2023 and expert discovery by August 10, 2023.
- 20 7. The parties are not making this motion for the purpose of delay, and no party will be prejudiced  
21 if the Court grants this motion.

Respectfully submitted this 12th day of June, 2023.

By: /s/ Kristin A. Liska

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By: /s/ Kevin Theriot\*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of June, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

*s/Kevin H. Theriot*  
Kevin H. Theriot

*Attorney for Plaintiff*